

REMARKS/ARGUMENTS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 1-12 are currently pending, Claims 1 and 7-12 having been amended. The changes and additions to the claims do not add new matter and are supported by the originally filed specification, for example, page 19, lines 9-17; page 24, line 26 to page 25, line 6; and Figs. 6 and 14.

In the outstanding Office Action, Claims 1 and 6-12 were rejected under 35 U.S.C. §103(a) as being unpatentable over Hayakawa et al. (U.S. Pub. No. 2003/0154187, hereafter “Hayakawa”) in view of Hu et al. (U.S. Pub. No. 2002/0143727, hereafter “Hu”); Claims 2 and 3 were rejected under 35 U.S.C. §103(a) as being unpatentable over Hayakawa in view of Hu and Anderson (U.S. Patent No. 6,298,401); Claims 4 and 5 were rejected under 35 U.S.C. §103(a) as being unpatentable over Hayakawa in view of Hu and Gautam et al. (U.S. Patent No. 5,956,704, hereafter “Gautam”).

With respect to the rejection of Claim 1 under 35 U.S.C. §103(a), Applicants respectfully submit that the present amendment to Claim 1 overcomes this ground of rejection. Amended Claim 1 recites, *inter alia*,

requesting that an update-information providing apparatus provide update-information about a latest version of a program used for the content data on the communication terminal and update information about a database schema which includes instructions on how to modify a database schema already used by the communication terminal to a database schema corresponding to the latest version, the database schema indicating what types of information related to the content data can be stored in the database for each of the plurality of content data and indicating a configuration for storing the types of information related to the content data in the database for each of the plurality of content data.

Applicants respectfully submit that Hayakawa and Hu fail to disclose or suggest at least these features of amended Claim 1.

Hayakawa is directed to a method of synchronizing application data stored in databases of a plurality of information processing devices. Fig. 1 of Hayakawa shows a system which includes a personal computer (PC) 300 and a handheld information terminal 200. Terminal 200 has a database which stores application data which replicates data stored in a database on the PC 300 (see para. [0064]). In a database 300a on the PC 300, each data information item has an item ID and edit time information. Hayakawa also describes that there is a set of data (“field”) provided for each data information item (such as “start time,” “end time,” “place,” for a scheduled event) (see para. [0077]). When data communication is initiated between the terminal 200 and the PC 300, the PC converts the item IDs for all the stored items into ID numbers (see para. [0079]). The terminal 200 stores the ID numbers along with a synchronization profile SP which contains item IDs and ID numbers updated during a last previous data update operation between the PC 300 and the terminal 200 (see para. [0081]). Based on a comparison of the synchronization profile SP and the PC database 300a, it is possible to determine which items have been changed or deleted by comparing IDs and communication time information (see para. [0083] and [0131]).

The Office Action cites to paragraph [0010] of Hayakawa and states that it describes “information about a database” which is interpreted as corresponding to a “database schema.” However, a “database schema” of Claim 1 is not merely general information about a database, and it also is not the actual content data stored on the database. Rather, the database schema, as defined in amended Claim 1, indicates what types of the information related to the content data can be stored in the database for each of the plurality of content data and indicates a configuration for storing the types of the information related to the content data in the database for each of the plurality of content data. Therefore, Hayakawa

never describes requesting update information related to a “database schema” as defined in Claim 1. Furthermore, Hayakawa never discloses requesting update information which includes instructions on how to modify a database schema already used by the communication terminal to a database schema corresponding to the latest version.

As Applicants previously presented, Hayakawa describes a database schema being used, where different types of information are provided for a scheduled event, such as “start time,” “end time,” and “place.” However, Hayakawa does not describe that this database schema itself is being updated when performing a synchronization between the PC 300 and the terminal 200. In other words, Hayakawa describes *updating the actual content data* of a database on a terminal 200 to match the content data of the database on the PC 300.

However, Hayakawa does not disclose or suggest requesting “update information about a database schema which includes instructions on how to modify a database schema already used by the communication terminal to a database schema corresponding to the latest version, the database schema indicating what types of information related to the content data can be stored in the database for each of the plurality of content data and indicating a configuration for storing the types of information related to the content data in the database for each of the plurality of content data,” as defined by amended Claim 1.

Furthermore, the Office Action appears to acknowledge that Hayakawa does not disclose or suggest updating a database schema, where the database schema corresponds to the latest version and indicates what types of information related to the content data can be stored in a database for each of the plurality of content data (see Office Action, at page 4, line 10-14).

Applicants note that the Office Action relies on Hu to remedy the deficiencies of Hayakawa with regard to Claim 1.

Hu is directed to converting the Digital Imaging and Communications in Medicine Structured Reporting (DICOM SR) standard to a set of Extensible Markup Language (XML) Document Type Definitions (DTDs) and XML Schemas (see para. [0004] and [0010] of Hu). Fig. 1 of Hu shows a conversion system 100 in which a DICOM specification 110 is transformed into a corresponding set of XML DTDs and Schemas 170. Hu describes that each table in the specification 110 is encoded as a corresponding XML document 140 (see para. [0033]), and each XML document 140 may be converted into an XML Schema 170 see para. [0047]). The XML Schemas support a variety of data types (see para. [0047]).

Thus, Hu describes converting a DICOM SR standard into an XML schema. However, Hu never describes requesting update information which include instructions on how to modify a database schema already being used by a communication terminal to a database schema corresponding to a latest program version.

Therefore, Hu fails to disclose or suggest requesting “update information about a database schema ***which includes instructions on how to modify a database schema already used by the communication terminal to a database schema corresponding to the latest version***, the database schema indicating what types of information related to the content data can be stored in the database for each of the plurality of content data and indicating a configuration for storing the types of information related to the content data in the database for each of the plurality of content data,” as defined by amended Claim 1.

Thus, Applicants submit that Hu fails to remedy at least the above-mentioned deficiencies of Hayakawa with regard to amended Claim 1.

Therefore, Applicants submit that amended Claim 1 (and all associated dependent claims) patentably distinguishes over Hayakawa and Hu, either alone or in proper combination.

Anderson and Gautam have been considered but fail to remedy the deficiencies of Hayakawa and Hu with regard to amended Claim 1. Thus, Applicants respectfully submit that amended Claim 1 (and all associated dependent claims) patentably distinguishes over Hayakawa, Hu, Anderson, and Gautam, either alone or in proper combination.

Amended independent Claims 7-12 recite features similar to those of amended Claim 1 discussed above. Thus, Applicants respectfully submit that Claims 7-12 patentably distinguish over Hayakawa, Hu, Anderson, and Gautam, either alone or in proper combination.

Furthermore, Applicants note that if the Office Action acknowledges that the “database schema” explicitly defined by Claim 1 is different than the information being updated in Hayakawa (see Office Action, at page 4, lines 10-14), then Applicants submit that Hayakawa also must fail to disclose or suggest “*comparing the database schema used by the updated program with the database schema already used by the communication terminal, in accordance with the update-information about the database schema, when it is determined in the comparing that the database schema needs to be updated.*”

Applicants note that the Office Action cites to Hayakawa’s description of comparing identification numbers of the application data in a database based on an update file as corresponding to the above-recited “comparing” of Claim 1. (See Office Action, at page 5, citing para. [0011]). Similarly, the Office Action cites to Hayakawa’s description of updating the database based on the update file as corresponding to the above-recited “updating” of Claim 1. However, the comparing and updating described on Hayakawa is being done respectively on identification numbers and actual application data, and not on a database schema as defined in Claim 1. Therefore, it is not clear how the Office Action interprets that

Hayakawa discloses “comparing the database schema used by the updated program with the database schema already used by the communication terminal, in accordance with the update-information about the database schema, in terms of version; and updating the database schema used by the communication terminal, in accordance with the update-information about the database schema, when it is determined in the comparing that the database schema needs to be updated,” when the Office Action already appears to acknowledge that the “database schema” defined in Claim 1 is not the same as the information being updated in Hayakawa.

In other words, the deficiency in Hayakawa is not that it fails to disclose a database schema in general. Instead, the deficiency in Hayakawa is that it does not disclose the specific features involved with updating a database schema as defined in Claim 1. On the contrary, Hayakawa describes updating the application data, which is not the same as updating the database schema. Hu does not remedy this deficiency because Hu discloses *converting* the DICOM-SR to an XML schema as discussed above. However, converting a standard into a schema as taught by Hu is not the same as updating a schema which already exists on a communication terminal to a schema which corresponds to a latest version of a program. Therefore, a person of ordinary skill in the art would not learn from Hu to modify Hayakawa so that instead of updating the application data as it currently discloses, it would then update its existing database schema to correspond to a latest version of program according to the specific features of Claim 1 shown above.

Therefore, Applicants emphasize that the Office Action has failed to show how the combination of Hayakawa and Hu discloses or suggests all of the features of amended Claim 1.

Anderson, and Gautam have been considered but fail to remedy these additional deficiencies of Hayakawa and Hu with regard to amended Claim 1. Thus, Applicants

respectfully submit that amended Claims 1, 7, 10, and 12 (and all associated dependent claims) patentably distinguishes over Hayakawa, Hu, Anderson, and Gautam, either alone or in proper combination, for these additional reasons.

Consequently, in light of the above discussion and in view of the present amendment, the outstanding grounds for rejection are believed to have been overcome. The present application is believed to be in condition for formal allowance. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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